

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Case No. 3:08-cr-00007-LRH-CLB

Plaintiff,

ORDER

v.

CHARLES A. BOROWY,

Defendant.

Before the court is defendant Charles A. Borowy's Motion for Early Termination of supervised release (ECF No. 100). The government has not filed an opposition.

Borowy was convicted of Possession of Child Pornography in 2009 and received 45 months of imprisonment to be followed by a lifetime term of supervised release. His term of supervised release commenced in June 2012. He is currently 58 years of age.

In September 2018, Borowy admitted to violating his supervised release, specifically the pornography prohibition prohibiting him from using, viewing or possessing pornography, that he also failed prior polygraph examinations concerning a violation of this prohibition and that he had used a "wiping program" on his cell phone after clearing searches for pornography.

On April 9, 2019, Borowy appeared before the court for sentencing and he was reinstated on supervision subject to continued counseling and completion of community service ordered by the court. The parties agreed that it would be appropriate for the

1 court to hold a status conference approximately a year later to ensure Borowy's
2 continued compliance with supervised release.

3 A status conference was scheduled for Monday, April 6, 2020, and the status
4 conference was subsequently vacated following confirmation that Borowy had remained
5 in compliance with the terms of his supervision.

6 The court appreciates Borowy's progress while on supervised release and notes
7 that he has been subject to continued counseling and has been cooperative with the
8 probation office. However, the court is very concerned about the nature of his original
9 offense involving child pornography, questionable behavior involving children while on
10 supervised release, and the nature of his admitted violation of supervised release in
11 2018. Good cause appearing,

12 IT IS HEREBY ORDERED that defendant's Motion for Early Termination of
13 supervised release (ECF No. 100) is DENIED.

14 IT IS SO ORDERED.

15 DATED this 11th day of January, 2021.

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18 LARRY R. HICKS
19 UNITED STATES DISTRICT JUDGE
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